

**VETERINARY EXAMINING BOARD
DECEMBER 1, 2004
MEETING MINUTES**

PRESENT: Larry Mahr, DVM; JoAnn Kleman, CVT; Theresa Waage; Donald Peterson, DVM; Marthina Greer, DVM; James Johnson, DVM; Robert Spencer, DVM

EXCUSED: Sarah Kamke

STAFF: Jerry Lowrie, Bureau Director; Ruby Jefferson-Moore, DRL Board Counsel; Kevin Murphy, Bureau Assistant

GUESTS: Yvonne Bellay, DVM, DATCP; Bob Klosterman, DVM, WVMA; Leslie Grendahl, WVMA; Dale Bjorling, WVMA; Rachel Rothschild, UW School of Veterinary Medicine; Teri Raffel, CVT, WVTA; Kelly McDowell, WVMA

CALL TO ORDER

Chair Larry Mahr called the meeting to order at 11:08 a.m.

APPROVAL OF AGENDA

Additions:

Supplementary materials added to items G and K.
Four additional stipulations – LePar, Brown, Lux, and Raleigh
Letter from Gary Newman, DVM, added to item K

MOTION: Dr. Johnson moved, seconded by Dr. Spencer, to approve the agenda with additions. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 29, 2004

Amendments:

Under “Guests,” add Joan Wywialowski, Board Appointee.

MOTION: Dr. Johnson moved, seconded by Dr. Spencer, to approve the minutes as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Revised 2005 Meeting Dates

MOTION: Dr. Spencer moved, seconded by Ms. Kleman, to approve the revised meeting dates for 2005. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST JENNIFER L.
LARSON, DVM, BY DOE ATTORNEY ARTHUR THEXTON – CASE ADVISOR – DR.
JAMES JOHNSON**

DOE Attorney Arthur Thexton presented the proposed stipulation, final decision and order in the matter of Jennifer Larson, DVM. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST CAREY JOHNSON,
DVM, BY DOE ATTORNEY PAM STACH – CASE ADVISOR - DR. MARTHINA
GREER**

DOE Attorney Pam Stach presented the proposed stipulation, final decision and order in the matter of Carey Johnson, DVM. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST GERALD LEPAR,
DVM, BY ATTORNEY PAM STACH – CASE ADVISOR – JOANN KLEMAN**

DOE Attorney Pam Stach presented the proposed stipulation, final decision and order in the matter of Gerald Lepar, DVM. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST RICHARD BROWN,
DVM, BY ATTORNEY PAM STACH – CASE ADVISOR – JOANN KLEMAN**

DOE Attorney Pam Stach presented the proposed stipulation, final decision and order in the matter of Richard Brown, DVM. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST MARY SUE LUX,
DVM, BY ATTORNEY PAM STACH – CASE ADVISOR – DR. JAMES JOHNSON**

DOE Attorney Pam Stach presented the proposed stipulation, final decision and order in the matter of Mary Sue Lux, DVM. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST SEAN RALEIGH,
DVM, BY ATTORNEY PAM STACH**

DOE Attorney Pam Stach presented the proposed stipulation, final decision and order in the matter of Sean Raleigh, DVM. This matter will be deliberated on in closed session.

**ORAL ARGUMENTS IN THE PROPOSED DECISION AND ORDER IN THE MATTER
OF GARY NEWMAN, DVM, BY DOE ATTORNEY PAM STACH AND GARY
NEWMAN (APPEARANCE RESPONSE PENDING)**

DOE Attorney Pam Stach presented the proposed decision and order. Dr. Newman chose not to appear. This matter will be deliberated on in closed session.

CONTINUING EDUCATION RULE

Review of Clearinghouse Report

The Board reviewed the Clearinghouse Report and later agreed that both the report and the public comments would be referred to the CE Rules Committee for closer scrutiny. The Division of Board Services agreed to set up a Rules Committee teleconference for some time in January.

Public Hearing

Members of the public addressed the Board with their concerns and suggestions regarding the proposed rule.

**CLEARINGHOUSE RULE 04-018 (REPEAL OF VE 5.03 (1) (D) AND AMENDMENT
OF VE 2.01 (2))**

MOTION: Dr. Peterson moved, seconded by Ms. Kleman, to adopt Clearinghouse Rule 04-018. Motion carried unanimously.

PRACTICE QUESTION – JERRY SIEGEL

DRL Board Counsel noted that after review of this question at the September meeting, she responded to Mr. Siegel stating that in this instance the Veterinarian's fee was legal. She also included in her response a copy of the rules.

REQUEST FOR CE WAIVER – MARGO MEYERS, DVM

MOTION: Ms. Waage moved, seconded by Dr. Spencer, to ask the Examinations Office to send a letter to Dr. Meyers outlining low-cost options for compliance with CE. The letter should also remind Dr. Meyers that she has an entire year to comply with CE rules. Motion carried unanimously.

INFORMATIONAL ITEMS

Noted.

CLOSED SESSION

MOTION: Dr. Spencer moved, seconded by Dr. Peterson, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)), to consider closing disciplinary investigation with administrative warning (Wis. Stat. § 19.85 (1) (b) and Wis. Stat. § 440.205), to consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Motion carried unanimously in a roll call vote.

The Board convened into closed session at 12:30 p.m.

RECONVENE INTO OPEN SESSION TO VOTE ON ITEMS DELIBERATED ON IN CLOSED SESSION

MOTION: Dr. Peterson moved, seconded by Ms. Waage, to reconvene into open session. Motion carried unanimously.

INFORMAL SETTLEMENT CONFERENCE – 01 VET 060 – CASE ADVISOR DR. JAMES JOHNSON

MOTION: Ms. Waage moved, seconded by Dr. Spencer, to adopt the proposed stipulation, final decision, and order in the matter of Liane Wilkinson, DVM. Dr. Peterson abstained from deliberation and voting. Motion carried.

DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST JENNIFER L. LARSON, DVM – CASE ADVISOR – DR. JAMES JOHNSON

MOTION: Dr. Spencer moved, seconded by Ms. Waage, to adopt the proposed stipulation, final decision and order in the matter of Jennifer Larson, DVM. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST CAREY JOHNSON, DVM – CASE ADVISOR – DR. MARTHINA GREER

MOTION: Dr. Peterson moved, seconded by Dr. Johnson, to adopt the proposed stipulation, final decision and order in the matter of Carey Johnson, DVM. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST GERALD LEPAR,
DVM – CASE ADVISOR – JOANN KLEMAN**

MOTION: Dr. Spencer moved, seconded by Dr. Peterson, to adopt the proposed stipulation, final decision and order in the matter of Gerald Lepar, DVM. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST RICHARD BROWN,
DVM – CASE ADVISOR – JOANN KLEMAN**

MOTION: Dr. Spencer moved, seconded by Dr. Peterson, to adopt the proposed stipulation, final decision and order in the matter of Richard Brown, DVM. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST MARY SUE LUX,
DVM – CASE ADVISOR – DR. JAMES J OHNSON**

MOTION: Dr. Peterson moved, seconded by Ms. Kleman, to adopt the proposed stipulation, final decision and order in the matter of Mary Sue Lux, DVM. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST SEAN RALEIGH,
DVM**

MOTION: Dr. Spencer moved, seconded by Ms. Kleman, to adopt the proposed stipulation, final decision and order in the matter of Sean Raleigh, DVM. Motion carried unanimously.

**DELIBERATION OF PROPOSED DECISION AND ORDER IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST GARY NEWMAN, DVM**

MOTION: Dr. Johnson moved, seconded by Dr. Spencer, to adopt the proposed decision and order in the matter of Gary Newman, DVM. Ms. Kleman abstained from deliberation and voting. Motion carried.

**DELIBERATION OF ADMINISTRATIVE WARNING – 01 VET 041 – CASE ADVISOR –
DR. LARRY MAHR**

MOTION: Dr. Spencer moved, seconded by Ms. Kleman, to issue an administrative warning in the matter of 01 VET 041. Motion carried unanimously.

**DELIBERATION OF ADMINISTRATIVE WARNING – 01 VET 038 – CASE ADVISOR –
JOANN KLEMAN**

MOTION: Dr. Peterson moved, seconded by Ms. Waage, to issue an administrative warning in the matter of 01 VET 038. Motion carried unanimously.

DOE CASE CLOSINGS

MOTION: Ms. Kleman moved, seconded by Dr. Greer, to close case 04 VET 018 for no violation. Motion carried unanimously.

MOTION: Ms. Waage moved, seconded by Dr. Spencer, to close case 03 VET 063 for no violation. Motion carried unanimously.

MOTION: Ms. Kleman moved, seconded by Dr. Greer, to close case 04 VET 039 for AC, administrative closure. Motion carried unanimously.

MOTION: Ms. Kleman moved, seconded by Dr. Greer, to close case 04 VET 045 for insufficient evidence. Motion carried unanimously.

MOTION: Dr. Greer moved, seconded by Ms. Waage, to close case 01 VET 045 for P7. Motion carried unanimously.

ADJOURNMENT

MOTION: Dr. Spencer moved, seconded by Ms. Waage, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:10 p.m.

Next Meeting: February 23, 2004